

Congressional Proposals on Covert Action  
and Legislative Oversight

COVERT ACTION

1. Abourezk Amendment

SUMMARY: Senator Abourezk introduced a floor amendment to the Foreign Assistance Act (S. 3394) which would have prohibited funds being used by any U.S. governmental agency to carry out any activities which would violate or encourage violation of the laws of the U.S. or the country involved. Excluded were activities necessary to national security which were intended solely for intelligence collection.

STATUS: Defeated on Senate floor on October 2 by a vote of 68-17. Senators Humphrey, Stennis, Goldwater, Case, Baker, and Symington spoke against amendment.

2. Hughes Amendment

SUMMARY: Senator Hughes also introduced a floor amendment to the Foreign Assistance Act (S. 3394) dealing with covert operations, but much less restrictive than Senator Abourezk's. It would bar funds for covert operations (defined to exclude intelligence gathering) unless the President finds the operation to be vital to the defense of the U.S., and transmits a report of his findings, with a description of the operation, to the congressional intelligence oversight committees. These procedural safeguards would be eliminated during a war.

STATUS: The amendment was accepted by Senator Stennis and passed on October 2 by voice vote. However, later on October 2, the entire Foreign Assistance bill was recommitted to the Foreign Relations Committee. The recommitted bill is still in Committee.

3. Holtzman Amendment

SUMMARY: Ms. Holtzman introduced a House floor amendment to the 1975 Continuing Appropriations resolution (H.J. Res. 1131). The amendment would have banned the use of any money appropriated under the joint resolution for use by CIA to "destabilize" or undermine any government.

STATUS: Representatives Mahon, Cederberg, Rhodes, Hunt, and Conlan spoke against the amendment, which was defeated 291-108 on September 24.

4. House Amendment to the Foreign Assistance Act (Section 27)

SUMMARY: On October 10 the House Foreign Affairs Committee reported for floor action its version of the Foreign Assistance Act amendments (H.R. 17234). Included was a section patterned after the Hughes Amendment. This provision bans operations in foreign countries, except intelligence collection, unless the President finds the operation to be important to the national security, and submits a timely report describing the operation

to Congress. The report is to go to the "appropriate committees" of the Congress, specifically including the foreign affairs committees. The provisions are to be suspended during war.

STATUS: This bill has not yet come before the entire House.

### OVERSIGHT

There are three distinct approaches in this category: bills which attempt to supplement (A below), supplant (B below) or, study (C below) existing oversight procedures.

#### A. Supplement

##### 1. Bolling-Hansen House Committee Reform Amendments

SUMMARY: Representative Zablocki introduced a floor amendment to the Committee Reform Amendments. Zablocki's amendment added to existing procedures by providing the Foreign Affairs Committee a special oversight function of reviewing and studying "intelligence activities relating to foreign policy." Nedzi made a floor statement in support, stating that the Zablocki amendment conformed to the agreement between Dr. Kissinger, Mr. Colby, and Chairmen Hebert and Morgan. The earlier language which would have given Foreign Affairs jurisdiction over military and foreign intelligence was dropped.

STATUS: The Zablocki amendment passed by voice vote, and the entire Committee Reform Amendments were agreed to by the House on 8 October.

B. Supplant

1. Baker/Weicker bill (S. 4019)

SUMMARY: This bill, introduced with much fanfare, would create a Senate-House Joint Committee on Intelligence Oversight to supplant Armed Services Committee jurisdiction. The Committee would have 14 members, appointed by the leadership, and the chairmanship would alternate between the House and Senate for each Congress. The jurisdiction of the Committee would extend to CIA, FBI, Secret Service, DIA, NSA, and all other governmental activities pertaining to intelligence gathering or surveillance of persons. Chiefs of all named departments would be required to keep the Committee fully and currently informed of all activities.

STATUS: Referred to Committee on Government Operations; hearings are planned after the recess.

2. Harrington Resolution (H. Res. 552)

SUMMARY: The resolution would create a new House Committee on the Central Intelligence Agency and terminate existing CIA jurisdiction in the House Armed Services Committee. The proposed Committee would consist of five members of Armed Services, five members of Foreign Affairs, and five other House members.

STATUS: Referred to House Rules Committee; inactive.

3. Harrington Resolution (H. Res. 1231)

SUMMARY: This resolution would create a new House Committee on Intelligence Operations, consisting of five members of Armed Services, five members of Foreign Affairs, and five members of Appropriations. This Committee would have jurisdiction over the entire intelligence community and all matters relating to foreign intelligence.

STATUS: Referred to House Rules Committee; inactive.

4. Senator Hathaway's Joint Committee on Information and Intelligence

SUMMARY: This resolution would create a Senate-House Joint Committee which would have oversight of CIA and all other intelligence and information agencies of the U.S. Government.

STATUS: Referred to Armed Services Committee; inactive.

C. Study

1. Mondale Resolution (S. Res. 404)

SUMMARY: This resolution would create a Senate Select Committee on Intelligence Policy, composed of five members of Armed Services, five members of Foreign Relations, and five other Senators. The Select Committee would be authorized to examine U.S. intelligence policies and operations, to determine the role of intelligence decision-making, and evaluate the impact of intelligence on national security and foreign policy. The Committee is to report to the Senate by June 30, 1975.

STATUS: Referred to Armed Services Committee.

2. Mathias and Mansfield Resolution (S. Res. 419)

SUMMARY: This resolution would create an 8-member (selected at-large) Select Committee to Study Governmental Operations With Respect to Intelligence Activities. Committee is instructed to study and investigate all domestic and foreign intelligence activities of the U.S. Government and past effect and future role of such activities. Report due two years after enactment.

STATUS: Referred to Committee on Government Operations.

3. Humphrey bill (S. 1547)

SUMMARY: This bill would create a Joint Committee on National Security, consisting of the Speaker, majority and minority members of each House, the chairman and ranking minority members of the Armed Services, Appropriations, foreign affairs, Joint Atomic Energy Committees, three other Representatives, and three other Senators. Functions of the Committee are to study foreign, domestic, and military national security policies, study National Security Council, and study Government classification practices, and report periodically to each House on the Committee's findings.

STATUS: Inactive. Bill recently transferred from Armed Services to Government Operations at Humphrey's request.

4. Harrington Resolution (H. Res. 1232)

SUMMARY: This resolution would authorize House Committee on Foreign Affairs to conduct a complete investigation of CIA.

STATUS: Referred to Committee on Rules; inactive.